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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

CASE NO. 2:20-CR-0194 KJM

Plaintiff,

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DANIEL STEWART LUKE BURROUGHS,

DATE: August 31, 2023
TIME: 9:00 a.m.
COURT: Hon. Daniel J. Calabretta

Defendants.

STIPULATION

1. By previous order, this matter was set for status on August 31, 2023.
2. By this stipulation, defendants now move to continue the status conference until November 16, 2023, and to exclude time between August 31, 2023, and November 16, 2023, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

- a) The government has produced discovery associated with this case that includes 12,793 Bates numbered documents. This includes bank records; memoranda of interviews, audio recordings, and video recordings. The government has also provided forensic images of electronic devices to the defense.
- b) Counsel for defendants have had a substantive meeting with the government for the purpose of discussing issues relevant to the case. The parties desire

1 additional time to address certain matters that were discussed at the meeting. Counsel for
2 defendants also desire additional time to review the discovery for this matter, conduct
3 investigation and research related to the charges, and to consult with their clients.

4 c) Counsel for defendants believe that failure to grant the above-requested
5 continuance would deny counsel the reasonable time necessary for effective preparation, taking
6 into account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of August 31, 2023 to November 16,
13 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
14 T4] because it results from a continuance granted by the Court at defendants' request on the basis
15 of the Court's finding that the ends of justice served by taking such action outweigh the best
16 interest of the public and the defendant in a speedy trial.

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.

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21 IT IS SO STIPULATED.
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1 Dated: August 28, 2023

PHILLIP A. TALBERT
UNITED STATES ATTORNEY

5 Dated: August 28, 2023

1 /s/ JUSTIN LEE
2 JUSTIN LEE
3 Assistant United States Attorney

6 Dated: August 28, 2023

7 /s/ DAVID D. FISCHER
8 DAVID D. FISCHER
9 Counsel for Defendant
10 Daniel Stewart

11 Dated: August 28, 2023

12 /s/ CANDICE L. FIELDS
13 CANDICE L. FIELDS
14 Counsel for Defendant
15 Luke Burroughs

16 IT IS SO FOUND AND ORDERED this 28th day of August, 2023.

17 /s/ Daniel J. Calabretta
18 THE HONORABLE DANIEL J. CALABRETTA
19 UNITED STATES DISTRICT JUDGE